

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - E/S of Hillendale Road, 400' N of the c/l of Taylor Avenue (7915 Hillendale Road) 9th Election District - 6th Councilmanic District Jean P. Fraunfelter (deceased) Legal Owner

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 93-106-XA

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception and a Petition for Zoning Variance filed on behalf of the legal owner of the subject property, Jean P. Fraunfelter, by and through the Contract Purchaser, Rene D. Javier. The Petitioner requests a special exception to permit a Class B Child Care Center for up to twenty (20) children on the subject property, and variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: from Section 424.7A to permit 0.31 acres in area for a maximum of 20 children in lieu of the required 1.00 acres for 40 children; from Section 424.7B to permit side yard setbacks of 22 feet and 23 feet in lieu of the required 50 feet for each, a side vegetative buffer of 5 feet in lieu of the required 20 feet; from Section 424.7C to determine that the proposed parking in the front yard and side yard drop-off will have no adverse impact and to permit such activity within the buffer area in lieu of outside the buffer area; and from Section 424.7E to permit an impervious surface area of 26% in lieu of the maximum permitted 25%, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition was Rene Javier, Contract Purchaser. Appearing and testifying in opposition to the Petitioner's

request were numerous residents of the surrounding community, for whom Mark Boner, a nearby property owner, was the primary spokesperson.

Testimony indicated that the subject property, known as 7915 Hillendale Road, consists of 0.318 acres, more or less, zoned D.R. 5.5, and is improved with a 1.5 story single family dwelling and detached garage. Mr. Javier is desirous of locating a Class B Child Care Center for up to 20 children at the subject site. Testimony indicated that he has already purchased the subject property and seeks the zoning approval necessary in order for him and his fiancée to operate the center. Mr. Javier testified as to the improvements he intends to make to the property in the event the special exception is granted. Mr. Javier testified that he and his fiancée currently operate a child care center for 8 children in their present home. Testimony indicated the Petitioner has friends in this community who believe there is a need for day care in this area.

Appearing and testifying in opposition to the Petitioner's request were many members of the community surrounding the subject property. The cumulative testimony of the Protestants was that the subject property is not at all an appropriate location at which to operate a day care facility for the number of children proposed by the Petitioner. Testimony indicated that Hillendale Road is an extremely busy thoroughfare during morning and evening rush hours and that it is used as a short-cut by many of the residents in that area. In addition, the driveway to the subject property is situated at the crest of a hill on Hillendale Road and as a result, site distance is very poor for anyone exiting the subject property onto Hillendale Road. Many of the residents feared that the traffic generated by a child care center for 20 children would create a tremendous traffic hazard for the community. Additional testimony and photographs of Hillendale

- 2 -

Road demonstrated that this road is very narrow with no sidewalks, curbs or gutters. Testimony indicated that there have been numerous accidents on Hillendale Road as a result of its narrow configuration.

It is clear that the B.C.Z.R. permits the use proposed in a D.R. 5.5 zone by special exception. However, it is equally clear that the proposed use would be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

After reviewing all of the testimony and evidence presented, it appears that the special exception should not be granted.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the Petitioner has not shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will be detrimental to the health, safety, or general welfare of the locality, and will tend to create congestion in roads, streets, or alleys therein. It will be inconsistent with the purposes of the property's zoning classification, and inconsistent with the spirit and intent of the B.C.Z.R.

In view of the fact that the special exception request has been denied, the variance relief requested shall also be denied.

- 3 -

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, it appears that the requirements of Section 502.1 have not been met and the health, safety, and general welfare of the community shall be adversely affected. Therefore, the relief requested in the special exception and variances shall be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21<sup>st</sup> day of November, 1992 that the Petition for Special Exception to permit a Class B Child Care Center for up to twenty (20) children on the subject property, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: from Section 424.7A to permit 0.31 acres in area for a maximum of 20 children in lieu of the required 1.00 acres for 40 children; from Section 424.7B to permit side yard setbacks of 22 feet and 23 feet in lieu of the required 50 feet for each, a side vegetative buffer of 5 feet in lieu of the required 20 feet, and a rear vegetative buffer of 10 feet in lieu of the required 20 feet; from Section 424.7C to determine that the proposed parking in the front yard and side yard drop-off will have no adverse impact and to permit such activity within the buffer area in lieu of outside the buffer area; and from Section 424.7E to permit an impervious surface area of 26% in lieu of the maximum permitted 25%, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

TMK:bjs

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

- 4 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

November 20, 1992

(410) 887-4386

Mr. Rene D. Javier  
1705 Glen Ridge Road  
Baltimore, Maryland 21234

RE: PETITIONS FOR SPECIAL EXCEPTION & ZONING VARIANCE  
E/S Hillendale Road, 400' N of the c/l of Taylor Avenue  
(7915 Hillendale Road)  
9th Election District - 6th Councilmanic District  
Jean P. Fraunfelter (deceased) - Petitioner  
Case No. 93-106-XA

Dear Mr. Javier:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Zoning Variance have been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Mark Boner  
7907 Hillendale Road, Baltimore, Md. 21234

People's Counsel

File

## Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 7915 HILLENDALE RD  
which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

CLASS B CHILD CARE CENTER FOR  
UP TO TWENTY (20) CHILDREN

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)

Contract Purchaser/Lessee  
RENE D. JAVIER  
(Type or Print Name)  
Signature  
1705 GLEN RIDGE RD  
Address  
BALTIMORE MD 21234  
City State Zipcode  
887-4652

Legal Owner(s)  
Jean P. Fraunfelter  
(Type or Print Name)  
Signature  
deceased  
(Type or Print Name)

Address  
7915 Hillendale Rd 665-5460  
City Baltimore MD 21234  
State Zipcode  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Signature  
NONE  
(Type or Print Name)

Address  
N/A  
(Type or Print Name)

City Baltimore MD 21234  
State Zipcode

Name  
Address  
City Baltimore MD 21234  
State Zipcode

ESTIMATED LENGTH OF HEARING  
unavailable for hearing

on following date: 9/8/92

ALL OTHER: 66 DATE 9/8/92

ORDER RECEIVED FOR FILING  
Date 11/20/92  
By

## Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 7915 HILLENDALE RD  
which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED SHEET (ADDENDUM A)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

SEE ATTACHED SHEET (HARDSHIP/PRACTICAL DIFFICULTY)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)

Contract Purchaser/Lessee  
RENE D. JAVIER  
(Type or Print Name)  
Signature  
1705 GLEN RIDGE RD  
Address  
BALTIMORE MD 21234  
City State Zipcode  
887-4652

Legal Owner(s)  
Jean P. Fraunfelter  
(Type or Print Name)  
Signature  
deceased  
(Type or Print Name)

Address  
7915 Hillendale Rd 665-5460  
City Baltimore MD 21234  
State Zipcode

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Signature  
NONE  
(Type or Print Name)

Address  
N/A  
(Type or Print Name)

City Baltimore MD 21234  
State Zipcode

Name  
Address  
City Baltimore MD 21234  
State Zipcode

ESTIMATED LENGTH OF HEARING  
unavailable for hearing

on following date: 9/8/92

ALL OTHER: 66 DATE 9/8/92

ORDER RECEIVED FOR FILING  
Date 11/20/92  
By

## PETITION FOR VARIANCE ADDENDUM A

- 424.7A To allow 0.31 acre (13,500 sq.ft.) for twenty (20) children in lieu of the required one (1) acre for forty (40) children.
- 424.7B To allow side yard setbacks of twenty (22) feet and twenty three (23) feet in lieu of the required 50 feet.
- To allow a five (5) feet side vegetative buffers in lieu of the required 20 feet.
- To allow a ten (10) feet rear vegetative buffer in lieu of the required twenty (20) feet.
- 424.7C To determine that the proposed parking in the front yard and side yard drop off will have no adverse impact and to allow them in the buffer area in lieu of outside the buffer area.
- 424.7E To allow an impervious surface area of 26 % in lieu of the required 25 %

## HARDSHIP / PRACTICAL DIFFICULTY

Practical difficulty exists in the use of the property for a day care facility for up to twenty (20) children. Due to the existing size and shape of the lot, it is difficult to meet all bulk requirements although mature existing landscape creates sufficient evergreen buffers. However, there is a great need for this community resource. The above requested variances are consistent with the intentions and provisions of the Zoning Law and do not conflict with them. Denial of a variance would be a substantial hardship for working parents and neighborhood residents who are in need of this facility. Other reasons will be addressed at the hearing of this petition.



**Maryland Department of Transportation  
State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: + 113 (LJG)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*David Ramsey 10/5/92*  
John Contestabile, Chief  
Engineering Access Permits  
Division

RECEIVED  
OCT 13 1992  
ZONING DEPT

My telephone number is \_\_\_\_\_

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5982 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: 7915 Hillendale Road

DATE: October 19, 1992

INFORMATION:  
Item Number: 113

Petitioner: Jean P. Fraunfelter

Property Size: 0.318 acre

Zoning: DR 5.5

Requested Action: Variance, Special Exception

Hearing Date: 10/13/92

**SUMMARY OF RECOMMENDATIONS:**

This petitioner is requesting a special exception for a Class B Child Care Center for up to 20 children. The petitioner is also requesting a variance to allow a site of .31 acres for 20 children in lieu of the required 1 acre for 40 children; to allow side yard setbacks of 22' and 23' in lieu of the required 50'; to allow .5' side vegetative buffers in lieu of the required 20'; to allow a 10' rear vegetative buffer in lieu of the required 20'; to determine that the proposed parking in the front yard and side yard drop off will have no adverse impact and to allow them in the buffer area in lieu of outside the buffer area; and to allow an impervious surface area of 26% in lieu of the required 25%.

If this petition is granted, the Office of Planning and Zoning recommends that the following conditions be considered.

The proposed 24' wide driveway and four space parking lot in the front yard will necessitate paving most of the front yard, therefore, changing the character of this lot in relationship to the adjacent neighborhood, as well as the neighborhood itself. This office recommends that the garage be razed and that the parking be placed in the area of the previous garage. Then the front yard can remain in grass and landscaping and stay in character with the existing community. Also, a final landscape plan must be submitted for approval by the County's Landscape Architect. The change of use of this site warrants a fully professional adaptation of the site in order to retain the residential character of the area. The importance of maintaining this character cannot be overstated. Parking should not be allowed in the front yard.

Prepared by: *James M. Kelly*

Division Chief: *James M. Kelly*

EMCD/FM:rdn

113.ZAC/ZAC1

**BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND**

DATE: October 9, 1992

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: October 5, 1992

ITEM NUMBER: 111

- 1) ADT needs to be based on I.T.E. Trip Generation Manual 5th Edition. The proposed use will generate 93 ADT's.
- 2) Since a drop-off area is not provided, adequate maneuvering area needs to be provided.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

RJF/WKL/lvd

Rec'd 10/14/92

Rec'd 10/14/92

Department of Environmental Protection & Resource Management 10/08/92

Development Review Committee Response Form  
Authorized signature *C. E. Egan* Date 10/13/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
Ronald I. and Gisela J. Canary	109	10-5-92	In process
DED DEPRM RP STP TE			
J. Homer Weidemeyer	110		In process
DED DEPRM RP STP TE			
Irvin C. Ludloff, Jr.	111		No comments
DED DEPRM RP STP TE			
Emanuel Baptist Church	112		No comments
DED DEPRM RP STP TE			
Jean P. Fraunfelter	113		No comments
DED DEPRM RP STP TE			
Richard J. Januszkiewicz	114		In process
DED DEPRM RP STP TE			
COUNT 6			
May C. Brewer	107	10/5/92	In process
DED DEPRM RP STP TE			
COUNT 1			
Michael And Patricia A. Perholtz	33	8-10-92	In process
DEPRM			
COUNT 1			
Adela M. Lombardi And Florence Kungsky	38	8-24-92	In process
DEPRM			
Baltimore Country Club of Baltimore City	40		In process
DEPRM			

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21204-5500

OCTOBER 19, 1992

(410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: JEAN P. FRAUNFELTER

Location: #7915 HILLENDALE ROAD

Item No.: +113 (LJG) Zoning Agenda: OCTOBER 5, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *C. E. Egan*  
Planning Group  
Special Inspection Division

JP/KEK

Rec'd 10/14/92

**Bureau of Traffic Engineering  
Development Review Committee Response Form**  
Authorized signature *Walter K...* Date 10/13/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
Ronald I. and Gisela J. Canary	109	10-5-92	
DED DEPRM RP STP TE		No Comment	
J. Homer Weidemeyer	110		
DED DEPRM RP STP TE		No Comment	
Irvin C. Ludloff, Jr.	111		
DED DEPRM RP STP TE		No Comment	
Emanuel Baptist Church	112		
DED DEPRM RP STP TE		No Comment	
Jean P. Fraunfelter	113		
DED DEPRM RP STP TE		No Comment	
Richard J. Januszkiewicz	114		
DED DEPRM RP STP TE		No Comment	

COUNT 6			
May C. Brewer	107	10/5/92	
DED DEPRM RP STP TE		No Comment	

COUNT 1  
FINAL TOTALS  
COUNT 7  
\*\*\* END OF REPORT \*\*\*

Rec'd 10/14/92

To The Hearing Officers:

This correspondence is in reference to Zoning Case 93-106-XA. I am writing as a neighboring (not adjacent) property owner who resides within 200 ft of the proposed use.

There are 2 principal issues which impact the site on which I have concerns. The first is the proposed large number of children on a lot of only 75' width and 13,500 sq ft in area which excluding buffers contains a play area (outside) of only approximately 1500 square ft. The ~~number~~ number of accompanying children ~~and~~ individuals including children, residents employees and visitors is shown to total 25 which is an excessive figure for an area composed of single family residential dwellings and is not consistent with the prospective zoning classification which is based on medium density residential use. Additionally the residence is quite small and ~~in combination~~ in combination with the above facts indicates that principally ~~502.1a, 54g~~ ~~BC24~~ ~~are being~~ brought into question as to the ability of the site to be used at this level of intensity.

The second issue is that of traffic safety. Though not obvious in the drawings provided, the front of Hillendale Road on which this property is located is used as a quick shortcut (with emphasis on quick) between Taylor Avenue and Pally Hill Roads. The speed of the vehicles using this road particularly at rush hour is well in excess of the posted 25 MPH speed limit. In addition there is a very steep hill leading up from Taylor Ave. which makes the location ~~in front of~~ in front of this dwelling effectively blind ~~to~~ from the traffic breasting the hill. Autos are also parked on both sides of the street ~~effectively~~ blocking site distance and there are no curb or ~~on~~ sidewalks or parking tends to be scattered well into the street Right of Way.... (see Next Page.)

which creates narrow channel for sometimes just a single auto. Any possibility of safely dropping off children and/or entering or exiting the site for this purpose appears to be in doubt particularly during rush hour periods during which the children will be dropped off and picked up. It appears that Section 502.1 a, b and c must be raised as issues concerning this competition + hazards.

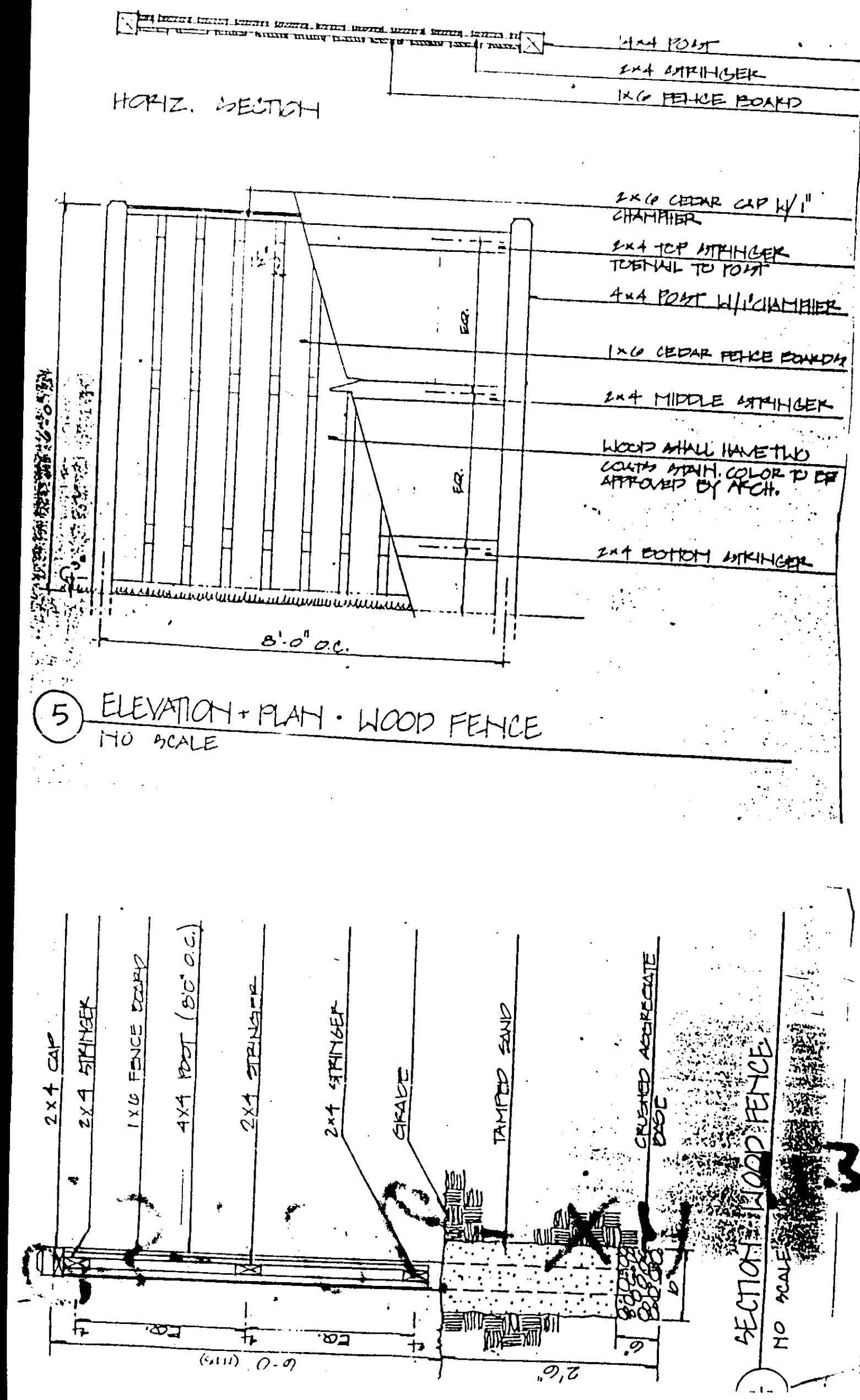
In Summary:  
My main concern ~~are~~ are not the fact that daycare will take place at this location but that the large # of children combined with the other employees/visitors/occupants and the poor street location (which I travel ~~regularly~~ repeatedly during a normal day) will overburden the small site with both people and auto congestion and I hope these issues will be resolved prior to the granting of the requested hearings.

I also submit that the requested variances are at least in part due to the overuse of the site and are not due to practical difficulty or hardship out of the applicants making.

*Springfield*  
John D. Davis

John L. Lewis  
11/4/92  
7922 RIDGELY OAK RD  
BALTO, MD. 21234

RECEIVED  
NOV 4 1992  
ZONING OFFICE



1705 Glen Ridge Rd.  
Baltimore, MD. 21204  
November

Mr. Timothy Kotroco  
Deputy Zoning Commissioner  
400 Washington Ave., Rm. 113  
Towson, MD. 21204

Re: Item No. 113, Case No. 93-106-XA  
Petition for Variance and Special Exemption

**RECEIVED**  
1602  
ZONING COMMISSIONER

Dear Mr. Kotroco,

We take this opportunity to let you know about the concern of parents whose kids are with our day care and, as well as those parents whose kids are about to join us. Our clientele, both fathers and mothers work full time, either live or work within the neighborhood. Enclosed are their testimonials that would prove hardship on these members of the community should this day care center not be allowed in the area.

Maryland Department of Employment and Economic Development, with respect to day care facility resource, defines immediate neighborhood as within five mile radius of the facility. On this regard, we and the parents have the same rights to this community resource as with the residents of Hillendale Road. Strong opposition by neighbors in Hillendale Road due to their own family day care facilities are self-serving and do not really concern the welfare of other members of the community.

My fiancé, Rosanna Olan, work closely with the Day Care Administration since she had started. She had always consulted with the agency in every aspect of child care regulation and our petition for twenty (20) children complies within their space and facility requirements. She is licensed for eight (8) full time children. She currently has four (4) full time, seven (7) part time and has eight (8) more in the waiting list ready to move with us. Restricting day care to the existing facilities in the Hillendale Road area would deprive the parents of their liberty to choose their own day care provider.

As with the other government agencies, we also have worked closely with your Zoning Office to comply with zoning regulations. We have submitted a revised plan, during the hearing, per your agency's comments to preserve the character of the neighborhood.

Our day care has grown due to the support of the parents whose children have grown with us. In behalf of the parents and the welfare of their children, we look forward to your favorable consideration on our request for variance and special exemption.

Very truly yours,  
*Rene D. Javier*  
Rene D. Javier & Rosanna Olan  
Petitioners

enclosures: petition letters from fourteen (14) parents

Zoning Commissioner  
Baltimore County, MD

To Whom It May Concern:

In March of 1991 I started interviewing people to find a suitable daycare for my daughter Ashlee. I interviewed over thirty people until I found someone I was satisfied with. That person was Rosanna Olan.

Ashlee has been in daycare full time with Rosanna Olan since September 1, 1991. I know that when I go in to work each day I can feel comfortable that my daughter is being properly taken care of.

I will be sending my second child Tyler to daycare at Rosanna Olan's starting in January, 1993.

It would be extremely difficult for me to have to start the whole interview process over if the zoning does not go through. Ashlee has made many friends at daycare and it would greatly upset her to have to make a change.

Please approve the zoning so my children can get the quality care they deserve.

Sincerely,

*Dorrie Anderson Hessler*

Dorrie Anderson Hessler  
26 Yew Road  
Baltimore, MD 21221  
410-686-1391

November 13, 1992

Mr. Timothy Kotroco  
Deputy Zoning Commissioner

Re: New Residence of Rosanna Olan - Day Care

Dear Mr. Kotroco:

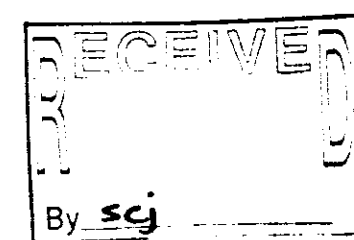
My son, Kyle, has been in day care at Annie Olan's for 1 1/2 years. When we began looking for a good home-like day care for our son, it was the most difficult decision we have ever had to make. It took my husband and I over one year to find exactly what we were looking for in a day care provider. A lot of time, energy and love went into that search for a perfect day care. We, including my 2 1/2 year old son, cannot make any changes in our lives concerning day care now. It is very important to us that Annie continue taking care of our son. He loves the clean, warm, caring, loving, and educational environment that Annie provides for him. Kyle has made his very first set of friends at Annie's and all the children are very close. It is very important to all of the parents of children at Annie's that these children do not get separated at this tender age.

As for Annie's present day care, it is perfect. The children do not run wild at any time, they are allowed in certain areas of Annie's house and yard that have been set up especially for their safety and protection.

This day care is very important to all of us, parents and children alike. It provides a safe place for our children in these times of horror stories in day care. The day care is Annie's livelihood and our piece of mind. The community must look beyond petty discriminatory reactions and welcome this family and day care with open arms.

Sincerely,

*Stacey L. Hebbel*  
Stacey L. Hebbel



Mr. W. Carl Richards Jr.  
Zoning Coordinator  
Office of Zoning Administration and Development Management  
Baltimore County Government  
111 West Chesapeake Avenue  
Towson, MD. 21204

RE: Item No. 113, Case No. 92-106-XA  
Petition for Variance & Special Exception

Dear Mr. Richards:

Thank you for your letter of October 26, 1992 which has updated me on the status of my petition concerning Zoning requirements.

I agree with your Office that the character of the neighborhood would be maintained by placing the parking area on the rear and adjacent to the existing garage. However, I would need some time to be able to come up with revised site plan to comply from your comments.

On this regard, I would like to request from your Office that the hearing date for this petition be moved from November 9, 1992 to November 23, 1992.

I shall look forward to hear from you.

Very truly yours,  
*Rene D. Javier*  
Rene D. Javier  
for Jean R. Fraunfelder

**RECEIVED**  
NOV 4 1992  
ZONING OFFICE

cc: Mr. Arnold Jablon, Director  
Zoning Admn. & Dev't. Mgt.

Nov. 11, 1992

To Whom It May Concern:

My son, Charlie, is two years old. He has been cared for by Roseanna Olan in her home for one year now. Ms. Olan also cares for my five year old and eight year old daughters when they are not in school. I was very happy to learn that Ms. Olan was only moving a few blocks away and that I would still be able to use her services as a babysitter. I am quite concerned that this option may no longer be available.

Charlie and the other children that Ms. Olan cares for are like brothers and sisters.

They have been together for a long time and they love each other. The parents of these children have gotten to know each other, too.

11/11/92

To: Zoning Commission Baltimore County  
Re: Annie Olan - Family Day Care

To Whom It May Concern:

I hope that by writing this letter I can do justice in trying to impress upon the "powers that be" of the excellent daycare that my grandson Gregory Wm. Ross receives at Miss Annie's daycare. He is 3 years old and I have never seen a child grow so in mind, body, and spirit - as he has done since being in her care for the past year and a half.

There are many, many daycare providers in Maryland, and in fact, my son was in one when he was little. For the most part they are adequate in that they see to the children's physical needs and their safety. Miss Annie goes above and beyond anything I have ever seen, or read about. She truly loves these little ones. He goes off and comes home each day with a twinkle in

MASOUD AND MARJAN SAJJAD  
1102 GILCREST COURT  
BALTIMORE, MARYLAND 21234

Zoning Commissioner  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Ave.  
Towson, Maryland 21204

11-11-1992

Re: Item No. 113, Case No. 93-106-XA  
Petitioner: Rene Javier/ Rosanne Olan  
Petition for variance and special exception

Dear Sir/Madam:

Millad (14 months) our son has been enrolled with Mrs. Olan's daycare center since the beginning of September 1992. Prior to his enrolment we studied about at least eight other daycare centers in a 10 mile radius of our residence. We learned that Mrs. Olan's daycare was the most dependable organization which we could trust and rely on.

It is hard not to notice both Mr. and Mrs. Olan's kindness and friendliness towards children, they have created a happy atmosphere for children to play and learn while they are disciplined.

Mrs. Olan's educational background has helped us as new parents to understand the difficulties of parenthood and how to deal with them. Most important of all, our son enjoys his time at Annie's ( Mrs. Olan ) and we would like to keep this happiness for him.

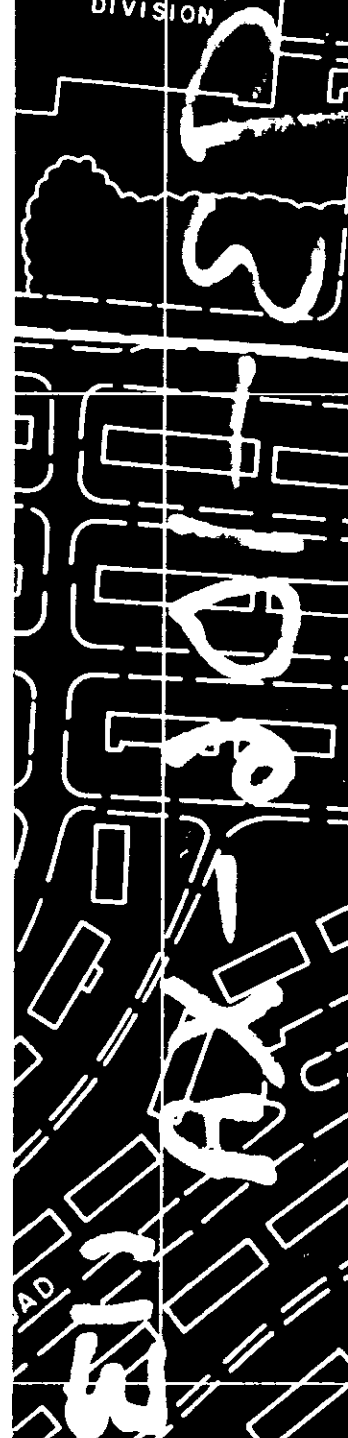
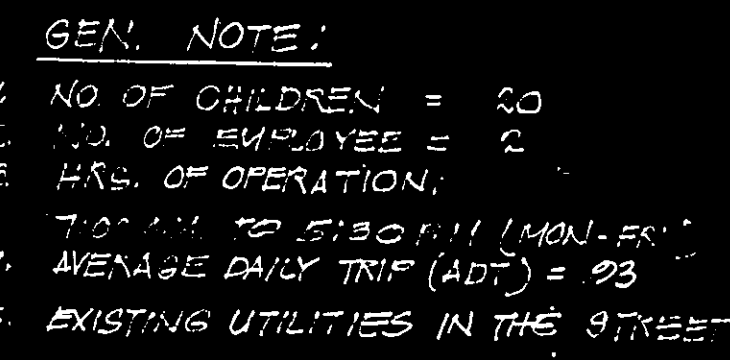
Mr. and Mrs. Olan have bought a new house which means the daycare moves to that new location. We would like to ask the Zoning Commissioner to accept their petition for variance and special exception.

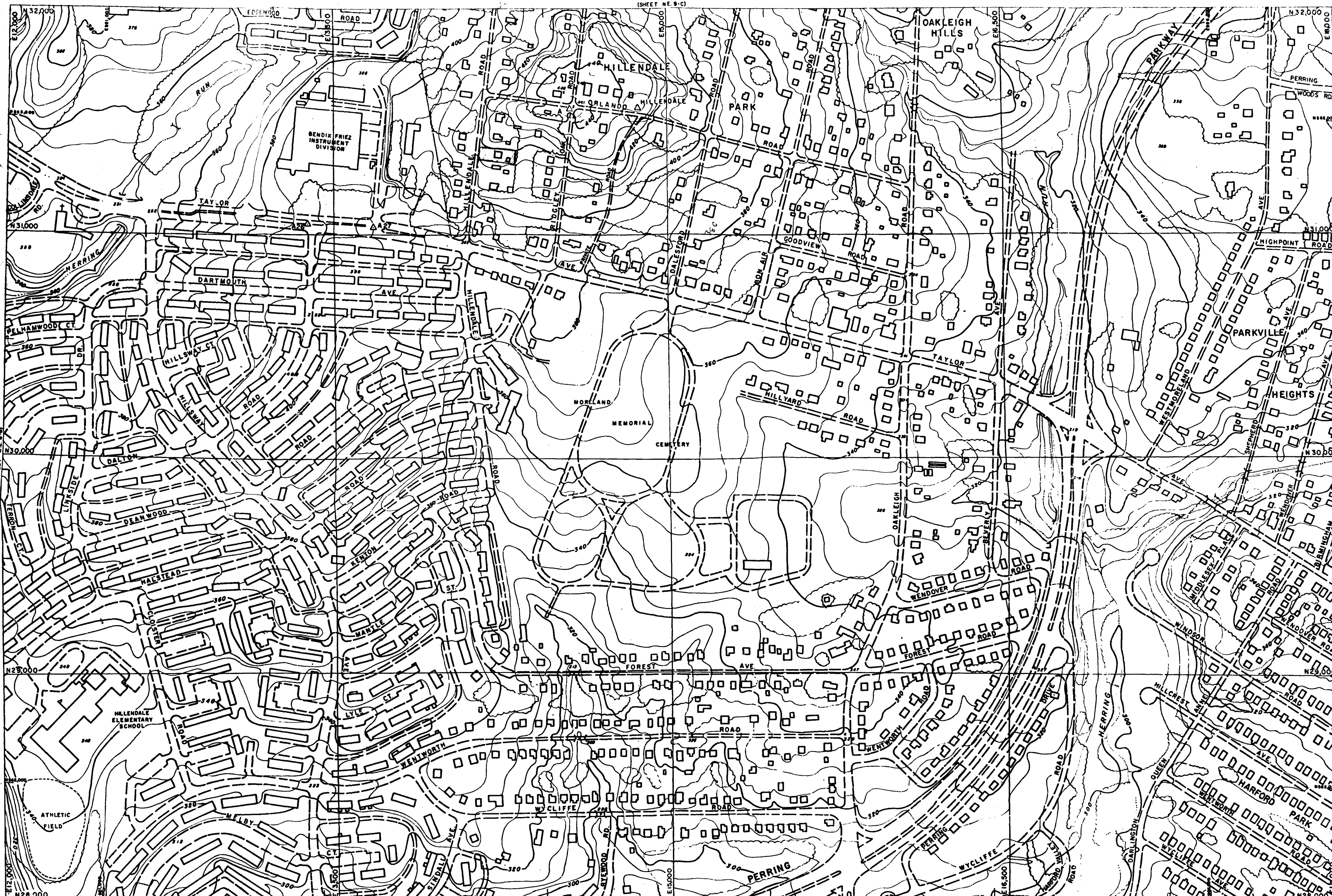
We thank your organization for understanding the importance of this matter.

Sincerely,

*Masoud and Marjan Sajjad*  
Masoud and Marjan Sajjad

93-106-XA





N-SW N-SE  
N-NW N-NE

# PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS			SCALE	LOCATION	SHEET
BY	DATE				
Topographic	MAPS, INC.	4-11-70	1" = 200'	HARFORD PARK	N. E. 8 - C
Topography Compiled By Photogrammetric Methods AERO SERVICE CORPORATION-PHILADELPHIA, PA.			DATE OF PHOTOGRAPHY APRIL 1953		

93-106-XA 113

93-106-XA-113

Beginning for the same at a point on the east side of Hillendale Road, said point being three hundred forty nine and seventy one-hundredth feet (349.701') northerly from Taylor Avenue, running thence and binding on the east side of Hillendale Road north 14 degrees 42 minutes west 75 feet to a point, thence leaving the east side of said road at right angles north 75 degrees eighteen minutes east 180 feet to a point, thence running parallel to said road south 14 degrees 42 minutes east 75 feet to a point, thence south 75 degrees 18 minutes west 180 feet to the point of beginning. Containing 13,500 square feet or 0.310 acres of land more or less. The improvements thereon being known as 7915 Hillendale Road.

Known and designated as Lot Nos. 792, 793 and 794 on the Plat of the tract of land known as Hillendale Park which plat is recorded among the plat records of Baltimore County in Plat Book L.McL.M No. 3, folio 10.

Being the same lots of ground which by deed dated January 18, 1954 and recorded among the Land Records of Baltimore County in Liber 421 folio 149, were conveyed by Daisy I. Selig and Marian R. Selig to Frederick P. Fraunfelter and Jean P. Fraunfelter, his wife.

Subject to restrictions set forth in CWB Jr. No. 1125 folio 136.



# CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY TOWSON, MARYLAND

District: 9th Date of Posting: 10/21/92  
Posted for: Special Exception & Variance  
Petitioner: Jean P. Fraunfelter & Rose D. Javier  
Location of property: 815 Hillendale Rd., NW, N. Taylor Ave.  
Location of Signs: Along Freeway, on property of Petitioner  
Remarks:  
Posted by: [Signature] Date of return: 10/23/92  
Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/8, 1992  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/8, 1992.

THE JEFFERSONIAN,

S. Zate Orin  
Publisher

Case 93-106-XA  
Zone 113-106-XA (Item 113)  
815 Hillendale Road, 400' W of c/l Taylor Avenue  
9th Election District - 6th Councilmanic  
Legal Owner(s): Jean P. Fraunfelter  
Contract Purchaser(s): Rose D. Javier  
Hearing: Monday, November 9, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse  
Special Exception for a Class "B" Child Care Center for up to 20 children. Variance to allow a .31 acre for 20 children in lieu of the required 1 acre for 40 children; to allow side yard setbacks of 22 feet and 23 feet in lieu of the required 50 feet; to allow 5 feet side vegetative buffers in lieu of the required 20 feet; to allow a 10 foot rear vegetative buffer in lieu of the required 20 feet; to determine that the proposed parking in the front yard and side yard drop off will have no adverse impact and to allow trees in the buffer area in lieu of outside the buffer area; and to allow an impervious surface area of 26% in lieu of the required 25%.

Baltimore County Government  
Office of Zoning Administration and Development Management  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, Maryland 21204

93-106-XA

receipt

Date

113  
Account R 01-6150  
Number

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government  
Office of Zoning Administration and Development Management  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Account R 01-6150  
Number  
113

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government  
Office of Zoning Administration and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 10/21/92

Rose D. Javier  
1705 Glen Ridge Road  
Baltimore, Maryland 21204

RE:  
CASE NUMBER: 93-106-XA (Item 113)  
815 Hillendale Road, 400' W of c/l Taylor Avenue  
9th Election District - 6th Councilmanic  
Legal Owner(s): Jean P. Fraunfelter  
Contract Purchaser(s): Rose D. Javier  
HEARING: MONDAY, NOVEMBER 9, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse

Dear Petitioner(s):

Please be advised that \$ 99.33 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING. IF THE OWNER SHALL NOT ISSUE, DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Arnold Jarlow  
ARNOLD JARLOW  
DIRECTOR

Printed on Recycled Paper

Baltimore County Government  
Office of Zoning Administration and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

OCT 01 1992

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-106-XA (Item 113)  
815 Hillendale Road, 400' W of c/l Taylor Avenue  
9th Election District - 6th Councilmanic  
Legal Owner(s): Jean P. Fraunfelter  
Contract Purchaser(s): Rose D. Javier  
HEARING: MONDAY, NOVEMBER 9, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse

Special Exception for a Class "B" Child Care Center for up to 20 children. Variance to allow a .31 acre for 20 children in lieu of the required 1 acre for 40 children; to allow side yard setbacks of 22 feet and 23 feet in lieu of the required 50 feet; to allow 5 feet side vegetative buffers in lieu of the required 20 feet; to allow a 10 foot rear vegetative buffer in lieu of the required 20 feet; to determine that the proposed parking in the front yard and side yard drop off will have no adverse impact and to allow trees in the buffer area in lieu of outside the buffer area; and to allow an impervious surface area of 26% in lieu of the required 25%.

Laurence E. Schmidt  
Laurence E. Schmidt  
Zoning Commissioner of  
Baltimore County

cc: Rose D. Javier

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government  
Office of Zoning Administration and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

October 26, 1992

(410) 887-3353

Mrs. Jean P. Fraunfelter  
7915 Hillendale Road  
Baltimore, MD 21234

RE: Item No. 113, Case No. 93-106-XA  
Petitioner: Jean P. Fraunfelter  
Petition for Variance & Special Exception

Dear Mrs. Fraunfelter:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government  
Office of Zoning Administration and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 25th day of September, 1992.

Arnold Jarlow  
ARNOLD JARLOW  
DIRECTOR

Received By:  
W. Carl Richards  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Jean P. Fraunfelter

Petitioner's Attorney:

Rec'd 10/14/92



**Maryland Department of Transportation  
State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: + 113 (LJG)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*David Ramsey 10/5/92*  
John Contestabile, Chief  
Engineering Access Permits  
Division

RECEIVED  
OCT 13 1992  
ZONING DEPT

My telephone number is \_\_\_\_\_

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5982 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: 7915 Hillendale Road

DATE: October 19, 1992

INFORMATION:  
Item Number: 113

Petitioner: Jean P. Fraunfelter

Property Size: 0.318 acre

Zoning: DR 5.5

Requested Action: Variance, Special Exception

Hearing Date: 10/19/92

**SUMMARY OF RECOMMENDATIONS:**

This petitioner is requesting a special exception for a Class B Child Care Center for up to 20 children. The petitioner is also requesting a variance to allow a site of .31 acres for 20 children in lieu of the required 1 acre for 40 children; to allow side yard setbacks of 22' and 23' in lieu of the required 50'; to allow .5' side vegetative buffers in lieu of the required 20'; to allow a 10' rear vegetative buffer in lieu of the required 20'; to determine that the proposed parking in the front yard and side yard drop off will have no adverse impact and to allow them in the buffer area in lieu of outside the buffer area; and to allow an impervious surface area of 26% in lieu of the required 25%.

If this petition is granted, the Office of Planning and Zoning recommends that the following conditions be considered.

The proposed 24' wide driveway and four space parking lot in the front yard will necessitate paving most of the front yard, therefore, changing the character of this lot in relationship to the adjacent neighborhood, as well as the neighborhood itself. This office recommends that the garage be razed and that the parking be placed in the area of the previous garage. Then the front yard can remain in grass and landscaping and stay in character with the existing community. Also, a final landscape plan must be submitted for approval by the County's Landscape Architect. The change of use of this site warrants a fully professional adaptation of the site in order to retain the residential character of the area. The importance of maintaining this character cannot be overstated. Parking should not be allowed in the front yard.

Prepared by: *James M. Kelly*

Division Chief: *James M. Kelly*

EMCD/FM:rdn

113.ZAC/ZAC1

**BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND**

DATE: October 9, 1992

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: October 5, 1992

ITEM NUMBER: 111

- 1) ADT needs to be based on I.T.E. Trip Generation Manual 5th Edition. The proposed use will generate 93 ADT's.
- 2) Since a drop-off area is not provided, adequate maneuvering area needs to be provided.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

RJF/WKL/lvd

Rec'd 10/14/92

Rec'd 10/14/92

Department of Environmental Protection & Resource Management 10/08/92

Development Review Committee Response Form  
Authorized signature *C. E. Egan* Date 10/13/92

File Number	Waiver Number	Zoning Issue	Meeting Date
Ronald I. and Gisela J. Canary	109	10-5-92	In process
DED DEPRM RP STP TE			
J. Homer Weidemeyer	110		In process
DED DEPRM RP STP TE			
Irvin C. Ludloff, Jr.	111		No comments
DED DEPRM RP STP TE			
Emanuel Baptist Church	112		No comments
DED DEPRM RP STP TE			
Jean P. Fraunfelter	113		No comments
DED DEPRM RP STP TE			
Richard J. Januszkiewicz	114		In process
DED DEPRM RP STP TE			
COUNT 6			
May C. Brewer	107	10/5/92	In process
DED DEPRM RP STP TE			
COUNT 1			
Michael And Patricia A. Perholtz	33	8-10-92	In process
DEPRM			
COUNT 1			
Adela M. Lombardi And Florence Kungsky	38	8-24-92	In process
DEPRM			
Baltimore Country Club of Baltimore City	40		In process
DEPRM			

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21204-5500

OCTOBER 19, 1992 (410) 887-4500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: JEAN P. FRAUNFELTER

Location: #7915 HILLENDALE ROAD

Item No.: +113 (LJG) Zoning Agenda: OCTOBER 5, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *C. E. Egan*  
Planning Group  
Special Inspection Division

JP/KEK

Rec'd 10/14/92

Bureau of Traffic Engineering  
Development Review Committee Response Form  
Authorized signature *Walter K...* Date 10/13/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
Ronald I. and Gisela J. Canary	109	10-5-92	
DED DEPRM RP STP TE		No Comment	
J. Homer Weidemeyer	110		
DED DEPRM RP STP TE		No Comment	
Irvin C. Ludloff, Jr.	111		
DED DEPRM RP STP TE		No Comment	
Emanuel Baptist Church	112		
DED DEPRM RP STP TE		No Comment	
Jean P. Fraunfelter	113		
DED DEPRM RP STP TE		No Comment	
Richard J. Januszkiewicz	114		
DED DEPRM RP STP TE		No Comment	

COUNT 6		
May C. Brewer	107	10/5/92
DED DEPRM RP STP TE		No Comment

COUNT 1

FINAL TOTALS  
COUNT 7

\*\*\* END OF REPORT \*\*\*

Rec'd 10/14/92

To The Hearing Officers:

This correspondence is in reference to Zoning Case 93-106-XA. I am writing as a neighboring (not adjacent) property owner who resides within 200 ft of the proposed use.

There are 2 principal issues which impact the site on which I have concerns. The first is the proposed large number of children on a lot of only 75' width and 13,500 sq ft in area which excluding buffers contains a play area (outside) of only approximately 1500 square ft. The ~~number~~ number of accompanying children ~~and~~ individuals including children, residents employees and visitors is shown to total 25 which is an excessive figure for an area composed of single family residential dwellings and is not consistent with the prospective zoning classification which is based on medium density residential use. Additionally the residence is quite small and ~~in combination~~ in combination with the above facts indicates that principally ~~502.1a, 54g~~ ~~BC24~~ ~~are being brought into question~~ are being brought into question as to the ability of the site to be used at this level of intensity.

The second issue is that of traffic safety. Though not obvious in the drawings provided, the front of Hillendale Road on which this property is located is used as a quick shortcut (with emphasis on quick) between Taylor Avenue and Pally Hill Roads. The speed of the vehicles using this road particularly at rush hour is well in excess of the posted 25 MPH speed limit. In addition there is a very steep hill leading up from Taylor Ave. which makes the location ~~in front of~~ in front of this dwelling effectively blind ~~to~~ from the traffic breasting the hill. Autos are also parked on both sides of the street ~~effectively~~ blocking site distance and there are no curb or sidewalks or parking tends to be scattered well into the street Right of Way.... (see Next Page.)

which creates narrow channel for sometimes just a single auto. Any possibility of safely dropping off children and/or entering or exiting the site for this purpose appears to be in doubt particularly during rush hour periods during which the children will be dropped off and picked up. It appears that Section 502.1 a, b and c must be raised as issues concerning this competition + hazards.

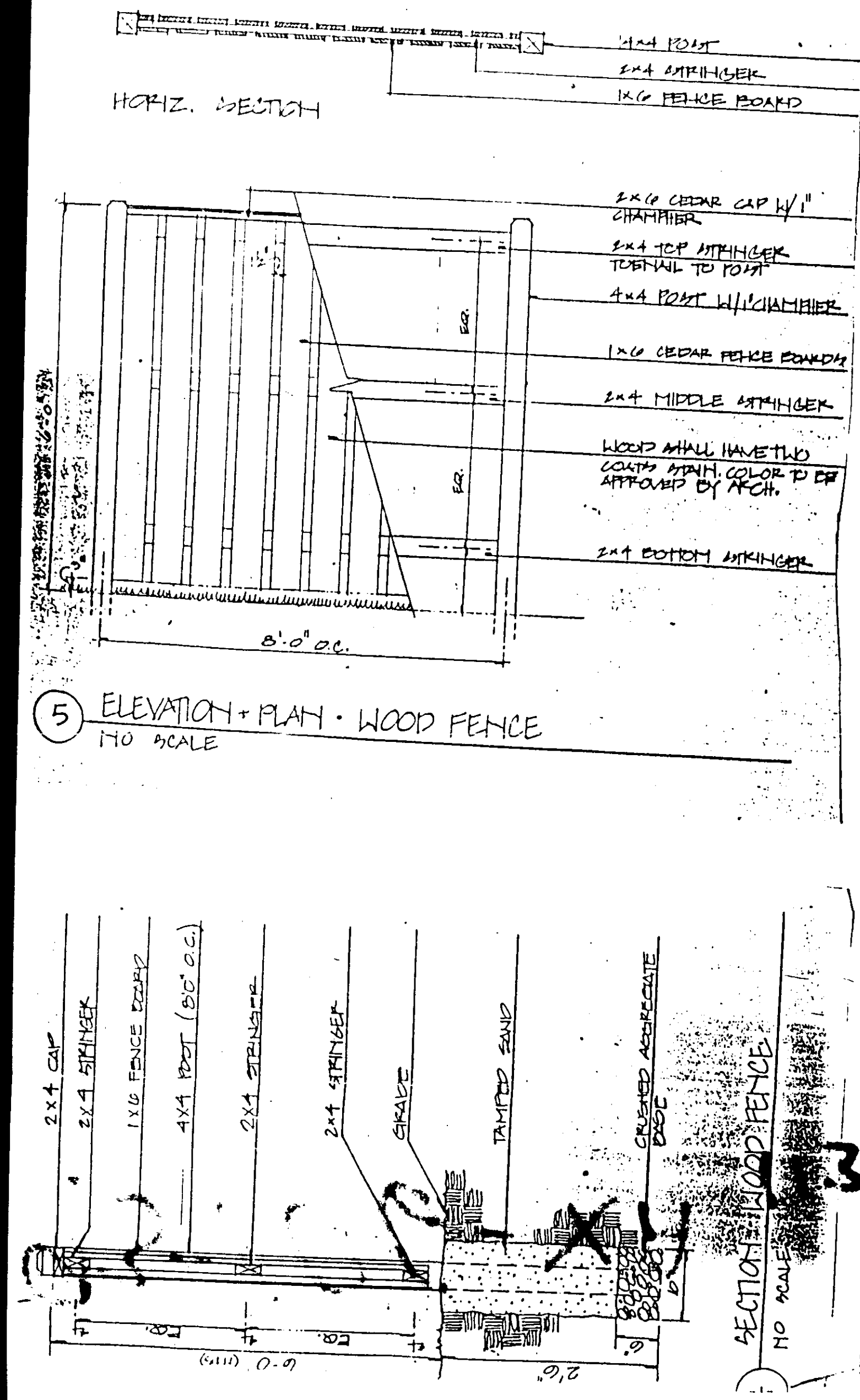
In Summary:  
My main concern ~~are~~ are not the fact that daycare will take place at this location but that the large # of children combined with the other employees/visitors/occupants and the poor street location (which I travel ~~regularly~~ repeatedly during a normal day) will overburden the small site with both people and auto congestion and I hope these issues will be resolved prior to the granting of the requested hearings.

I also submit that the requested variances are at least in part due to the overuse of the site and are not due to practical difficulty or hardship out of the applicants making.

*Springfield*  
John D. Davis

John L. Lewis  
11/4/92  
7922 RIDGELY OAK RD  
BALTO, MD. 21234

RECEIVED  
NOV 4 1992  
ZONING OFFICE



Mr. Timothy Kotroco  
Deputy Zoning Commissioner  
400 Washington Ave., Rm. 113  
Towson, MD. 21204

Re: Item No. 113, Case No. 93-106-XA  
Petition for Variance and Special Exemption

Dear Mr. Kotroco,

We take this opportunity to let you know about the concern of parents whose kids are with our day care and, as well as those parents whose kids are about to join us. Our clientele, both fathers and mothers work full time, either live or work within the neighborhood. Enclosed are their testimonials that would prove hardship on these members of the community should this day care center not be allowed in the area.

Maryland Department of Employment and Economic Development, with respect to day care facility resource, defines immediate neighborhood as within five mile radius of the facility. On this regard, we and the parents have the same rights to this community resource as with the residents of Hillendale Road. Strong opposition by neighbors in Hillendale Road due to their own family day care facilities are self-serving and do not really concern the welfare of other members of the community.

My fiancé, Rosanna Olan, work closely with the Day Care Administration since she had started. She had always consulted with the agency in every aspect of child care regulation and our petition for twenty (20) children complies within their space and facility requirements. She is licensed for eight (8) full time children. She currently has four (4) full time, seven (7) part time and has eight (8) more in the waiting list ready to move with us. Restricting day care to the existing facilities in the Hillendale Road area would deprive the parents of their liberty to choose their own day care provider.

As with the other government agencies, we also have worked closely with your Zoning Office to comply with zoning regulations. We have submitted a revised plan, during the hearing, per your agency's comments to preserve the character of the neighborhood.

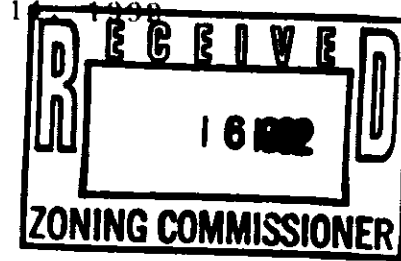
Our day care has grown due to the support of the parents whose children have grown with us. In behalf of the parents and the welfare of their children, we look forward to your favorable consideration on our request for variance and special exemption.

Very truly yours,

*Rene D. Javier*  
Rene D. Javier & Rosanna Olan  
Petitioners

enclosures: petition letters from fourteen (14) parents

1705 Glen Ridge Rd.  
Baltimore, MD. 21204  
November



Zoning Commissioner  
Baltimore County, MD

To Whom It May Concern:

In March of 1991 I started interviewing people to find a suitable daycare for my daughter Ashlee. I interviewed over thirty people until I found someone I was satisfied with. That person was Rosanna Olan.

Ashlee has been in daycare full time with Rosanna Olan since September 1, 1991. I know that when I go in to work each day I can feel comfortable that my daughter is being properly taken care of.

I will be sending my second child Tyler to daycare at Rosanna Olan's starting in January, 1993.

It would be extremely difficult for me to have to start the whole interview process over if the zoning does not go through. Ashlee has made many friends at daycare and it would greatly upset her to have to make a change.

Please approve the zoning so my children can get the quality care they deserve.

Sincerely,

*Dorrie Anderson Hessler*

Dorrie Anderson Hessler  
26 Yew Road  
Baltimore, MD 21221  
410-686-1391

November 13, 1992

Mr. Timothy Kotroco  
Deputy Zoning Commissioner

Re: New Residence of Rosanna Olan - Day Care

Dear Mr. Kotroco:

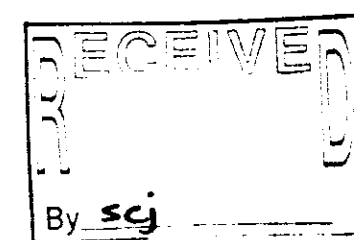
My son, Kyle, has been in day care at Annie Olan's for 1 1/2 years. When we began looking for a good home-like day care for our son, it was the most difficult decision we have ever had to make. It took my husband and I over one year to find exactly what we were looking for in a day care provider. A lot of time, energy and love went into that search for a perfect day care. We, including my 2 1/2 year old son, cannot make any changes in our lives concerning day care now. It is very important to us that Annie continue taking care of our son. He loves the clean, warm, caring, loving, and educational environment that Annie provides for him. Kyle has made his very first set of friends at Annie's and all the children are very close. It is very important to all of the parents of children at Annie's that these children do not get separated at this tender age.

As for Annie's present day care, it is perfect. The children do not run wild at any time, they are allowed in certain areas of Annie's house and yard that have been set up especially for their safety and protection.

This day care is very important to all of us, parents and children alike. It provides a safe place for our children in these times of horror stories in day care. The day care is Annie's livelihood and our piece of mind. The community must look beyond petty discriminatory reactions and welcome this family and day care with open arms.

Sincerely,

*Stacey L. Hebbel*  
Stacey L. Hebbel



Mr. W. Carl Richards Jr.  
Zoning Coordinator  
Office of Zoning Administration and Development Management  
Baltimore County Government  
111 West Chesapeake Avenue  
Towson, MD. 21204

RE: Item No. 113, Case No. 92-106-XA  
Petition for Variance & Special Exception

Dear Mr. Richards:

Thank you for your letter of October 26, 1992 which has updated me on the status of my petition concerning Zoning requirements.

I agree with your Office that the character of the neighborhood would be maintained by placing the parking area on the rear and adjacent to the existing garage. However, I would need some time to be able to come up with revised site plan to comply from your comments.

On this regard, I would like to request from your Office that the hearing date for this petition be moved from November 9, 1992 to November 23, 1992.

I shall look forward to hear from you.

Very truly yours,

*Rene D. Javier*  
Rene D. Javier  
for Jean R. Fraunfelder



ZONING OFFICE

cc: Mr. Arnold Jablon, Director  
Zoning Admn. & Dev't. Mgt.

Nov. 11, 1992

To Whom It May Concern:

My son, Charlie, is two years old. He has been cared for by Roseanna Olan in her home for one year now. Ms. Olan also cares for my five year old and eight year old daughters when they are not in school. I was very happy to learn that Ms. Olan was only moving a few blocks away and that I would still be able to use her services as a babysitter. I am quite concerned that this option may no longer be available.

Charlie and the other children that Ms. Olan cares for are like brothers and sisters.

They have been together for a long time and they love each other. The parents of these children have gotten to know each other, too.

11/11/92

To: Zoning Commission Baltimore County  
Re: Annie Olan - Family Day Care

To Whom It May Concern:

I hope that by writing this letter I can do justice in trying to impress upon the "powers that be" of the excellent daycare that my grandson Gregory Wm. Ross receives at Miss Annie's daycare. He is 3 years old and I have never seen a child grow so in mind, body, and spirit - as he has done since being in her care for the past year and a half.

There are many, many daycare providers in Maryland, and in fact, my son was in one when he was little. For the most part they are adequate in that they see to the children's physical needs and their safety. Miss Annie goes above and beyond anything I have ever seen, or read about. She truly loves these little ones. He goes off and comes home each day with a twinkle in

MASOUD AND MARJAN SAJJAD  
1102 GILCREST COURT  
BALTIMORE, MARYLAND 21234

Zoning Commissioner  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Ave.  
Towson, Maryland 21204

11-11-1992

Re: Item No. 113, Case No. 93-106-XA  
Petitioner: Rene Javier/ Rosanne Olan  
Petition for variance and special exception

Dear Sir/Madam:

Millad (14 months) our son has been enrolled with Mrs. Olan's daycare center since the beginning of September 1992. Prior to his enrolment we studied about at least eight other daycare centers in a 10 mile radius of our residence. We learned that Mrs. Olan's daycare was the most dependable organization which we could trust and rely on.

It is hard not to notice both Mr. and Mrs. Olan's kindness and friendliness towards children, they have created a happy atmosphere for children to play and learn while they are disciplined.

Mrs. Olan's educational background has helped us as new parents to understand the difficulties of parenthood and how to deal with them. Most important of all, our son enjoys his time at Annie's ( Mrs. Olan ) and we would like to keep this happiness for him.

Mr. and Mrs. Olan have bought a new house which means the daycare moves to that new location. We would like to ask the Zoning Commissioner to accept their petition for variance and special exception.

We thank your organization for understanding the importance of this matter.

Sincerely,

*Masoud and Marjan Sajjad*  
Masoud and Marjan Sajjad

93-106-XA



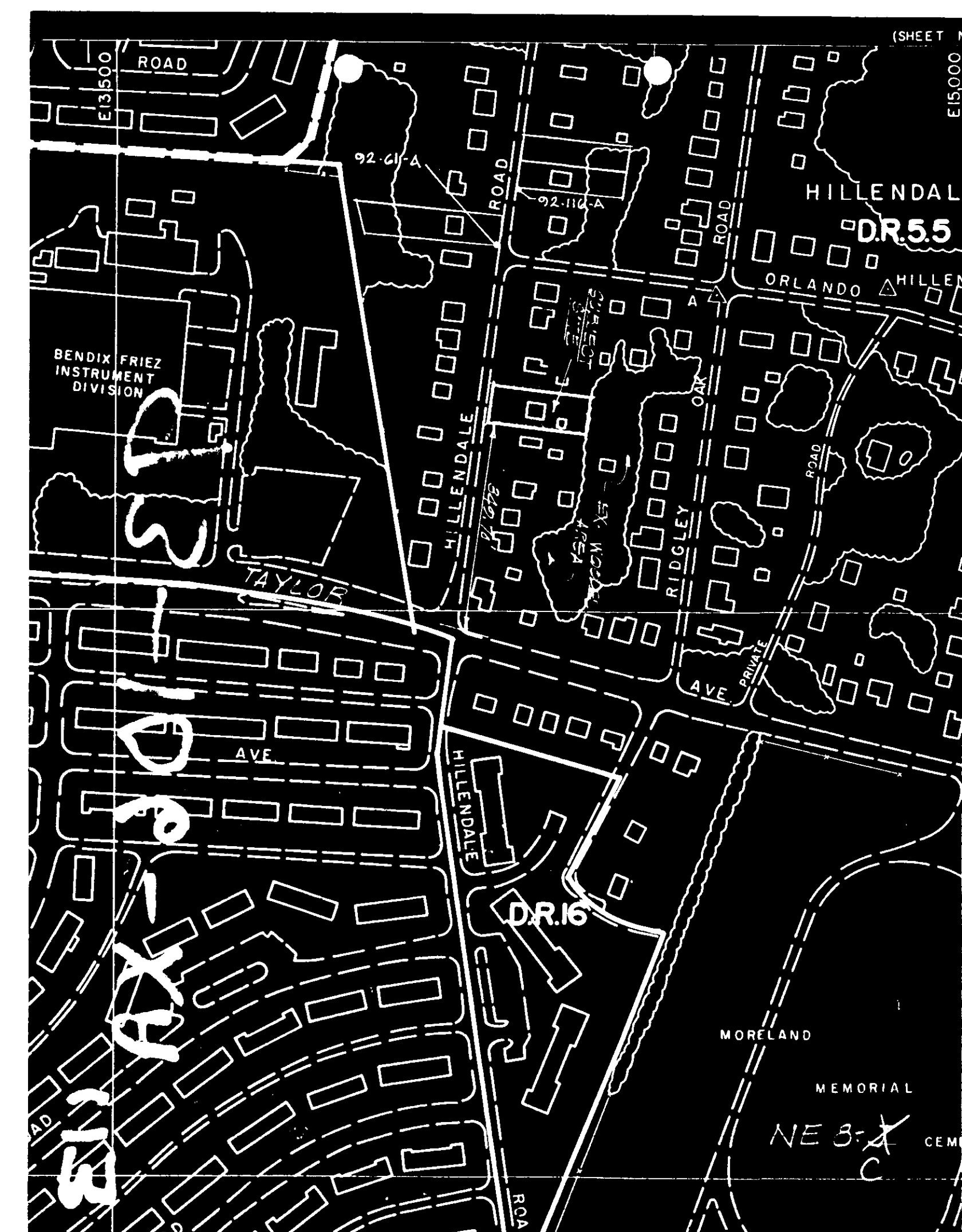
1. NO. OF CHILDREN = 20
2. NO. OF EMPLOYEE = 2
3. HRS. OF OPERATION:  
TOTAL TO LIBRARY (MON-FRI)
4. AVERAGE DAILY TRIP (ADT) = 93
5. EXISTING UTILITIES IN THE 9TH ST.

PROPOSED DAY CARE CENTER  
# 7915 HILLENDALE RD.  
BALTO. MD 21254  
"HELLENDALE PARK"  
LOT NOS. 7922, 7923 & 7924  
PLAT BOOK / No 9 P. 10-11 10  
ELECT. DIST. 0 COOKINGMANIG #6  
EX. ZONING : DR 5.5 (NE B-C)  
GROSS AREA = 0.318 AC.

PARKING DATA

2 EMPLOYEES = 2 PS.  
RESIDENTIAL = 2 " (GARAGE)  
VISITOR = 1 "  
= 5 PS. READ.  
SHOWN = 5 PS (2 PS. GARAGE)

SCALE: 1" = 30'





N-SW N-SE  
N-NW N-NE

# PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS			SCALE	LOCATION	SHEET
BY	DATE				
Topographic	MAPS, INC.	4-11-70	1" = 200'	HARFORD PARK	N. E. 8 - C
Topography Compiled By Photogrammetric Methods AERO SERVICE CORPORATION-PHILADELPHIA, PA.			DATE OF PHOTOGRAPHY APRIL 1953		

93-106-XA 113

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - E/S of Hillendale Road, 400' N of the c/l of Taylor Avenue (7915 Hillendale Road) 9th Election District - 6th Councilmanic District Jean P. Fraunfelter (deceased) Legal Owner

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 93-106-XA

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception and a Petition for Zoning Variance filed on behalf of the legal owner of the subject property, Jean P. Fraunfelter, by and through the Contract Purchaser, Rene D. Javier. The Petitioner requests a special exception to permit a Class B Child Care Center for up to twenty (20) children on the subject property, and variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: from Section 424.7A to permit 0.31 acres in area for a maximum of 20 children in lieu of the required 1.00 acres for 40 children; from Section 424.7B to permit side yard setbacks of 22 feet and 23 feet in lieu of the required 50 feet for each, a side vegetative buffer of 5 feet in lieu of the required 20 feet; from Section 424.7C to determine that the proposed parking in the front yard and side yard drop-off will have no adverse impact and to permit such activity within the buffer area in lieu of outside the buffer area; and from Section 424.7E to permit an impervious surface area of 26% in lieu of the maximum permitted 25%, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition was Rene Javier, Contract Purchaser. Appearing and testifying in opposition to the Petitioner's

request were numerous residents of the surrounding community, for whom Mark Boner, a nearby property owner, was the primary spokesperson.

Testimony indicated that the subject property, known as 7915 Hillendale Road, consists of 0.318 acres, more or less, zoned D.R. 5.5, and is improved with a 1.5 story single family dwelling and detached garage. Mr. Javier is desirous of locating a Class B Child Care Center for up to 20 children at the subject site. Testimony indicated that he has already purchased the subject property and seeks the zoning approval necessary in order for him and his fiancée to operate the center. Mr. Javier testified as to the improvements he intends to make to the property in the event the special exception is granted. Mr. Javier testified that he and his fiancée currently operate a child care center for 8 children in their present home. Testimony indicated the Petitioner has friends in this community who believe there is a need for day care in this area.

Appearing and testifying in opposition to the Petitioner's request were many members of the community surrounding the subject property. The cumulative testimony of the Protestants was that the subject property is not at all an appropriate location at which to operate a day care facility for the number of children proposed by the Petitioner. Testimony indicated that Hillendale Road is an extremely busy thoroughfare during morning and evening rush hours and that it is used as a short-cut by many of the residents in that area. In addition, the driveway to the subject property is situated at the crest of a hill on Hillendale Road and as a result, site distance is very poor for anyone exiting the subject property onto Hillendale Road. Many of the residents feared that the traffic generated by a child care center for 20 children would create a tremendous traffic hazard for the community. Additional testimony and photographs of Hillendale

Road demonstrated that this road is very narrow with no sidewalks, curbs or gutters. Testimony indicated that there have been numerous accidents on Hillendale Road as a result of its narrow configuration.

It is clear that the B.C.Z.R. permits the use proposed in a D.R. 5.5 zone by special exception. However, it is equally clear that the proposed use would be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

After reviewing all of the testimony and evidence presented, it appears that the special exception should not be granted.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. In fact, the Petitioner has not shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will be detrimental to the health, safety, or general welfare of the locality, and will tend to create congestion in roads, streets, or alleys therein. It will be inconsistent with the purposes of the property's zoning classification, and inconsistent with the spirit and intent of the B.C.Z.R.

In view of the fact that the special exception request has been denied, the variance relief requested shall also be denied.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, it appears that the requirements of Section 502.1 have not been met and the health, safety, and general welfare of the community shall be adversely affected. Therefore, the relief requested in the special exception and variances shall be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of November, 1992 that the Petition for Special Exception to permit a Class B Child Care Center for up to twenty (20) children on the subject property, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: from Section 424.7A to permit 0.31 acres in area for a maximum of 20 children in lieu of the required 1.00 acres for 40 children; from Section 424.7B to permit side yard setbacks of 22 feet and 23 feet in lieu of the required 50 feet for each, a side vegetative buffer of 5 feet in lieu of the required 20 feet, and a rear vegetative buffer of 10 feet in lieu of the required 20 feet; from Section 424.7C to determine that the proposed parking in the front yard and side yard drop-off will have no adverse impact and to permit such activity within the buffer area in lieu of outside the buffer area; and from Section 424.7E to permit an impervious surface area of 26% in lieu of the maximum permitted 25%, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 11/24/92  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 11/24/92  
By [Signature]

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Date 11/24/92  
By [Signature]

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Date 11/24/92  
By [Signature]

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- 3 -

- 4 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

November 20, 1992

Mr. Rene D. Javier  
1705 Glen Ridge Road  
Baltimore, Maryland 21234

RE: PETITIONS FOR SPECIAL EXCEPTION & ZONING VARIANCE  
E/S Hillendale Road, 400' N of the c/l of Taylor Avenue  
(7915 Hillendale Road)  
9th Election District - 6th Councilmanic District  
Jean P. Fraunfelter (deceased) - Petitioner  
Case No. 93-106-XA

Dear Mr. Javier:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Zoning Variance have been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Mark Boner  
7907 Hillendale Road, Baltimore, Md. 21234

People's Counsel

File



## Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 7915 HILLENDALE RD  
which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

CLASS B CHILD CARE CENTER FOR  
UP TO TWENTY (20) CHILDREN

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

RENE D. JAVIER

(Type or Print Name)

Signature

1705 GLEN RIDGE RD

Address

BALTIMORE MD 21234

City State Zipcode

882-4652

Phone No.

Signature

N/A

Address

City

State

Zipcode

Phone No.

Signature

N/A

Address

City

State

Zipcode

Phone No.

Signature

N/A

Address

City

State

Zipcode

Phone No.

Signature

N/A

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s)

Jean P. Fraunfelter

(Type or Print Name)

Signature

Jean P. Fraunfelter

deceased

(Type or Print Name)

Signature

7915 Hillendale Rd 665-5460

Address

Baltimore MD 21234

City State Zipcode

882-4652

Phone No.

Signature

N/A

Address

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93-106-XA-113

Beginning for the same at a point on the east side of Hillendale Road, said point being three hundred forty nine and seventy one-hundredth feet (349.701') northerly from Taylor Avenue, running thence and binding on the east side of Hillendale Road north 14 degrees 42 minutes west 75 feet to a point, thence leaving the east side of said road at right angles north 75 degrees eighteen minutes east 180 feet to a point, thence running parallel to said road south 14 degrees 42 minutes east 75 feet to a point, thence south 75 degrees 18 minutes west 180 feet to the point of beginning. Containing 13,500 square feet or 0.310 acres of land more or less. The improvements thereon being known as 7915 Hillendale Road.

Known and designated as Lot Nos. 792, 793 and 794 on the Plat of the tract of land known as Hillendale Park which plat is recorded among the plat records of Baltimore County in Plat Book L.McL.M No. 3, folio 10.

Being the same lots of ground which by deed dated January 18, 1954 and recorded among the Land Records of Baltimore County in Liber 421 folio 149, were conveyed by Daisy I. Selig and Marian R. Selig to Frederick P. Fraunfelter and Jean P. Fraunfelter, his wife.

Subject to restrictions set forth in CWB Jr. No. 1125 folio 136.



# CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY TOWSON, MARYLAND

District: 9th Date of Posting: 10/21/92  
Posted for: Special Exception & Variance  
Petitioner: Jean P. Fraunfelter & Rose D. Javier  
Location of property: 115 Hillendale Rd., NW of Taylor Ave.  
Location of Signs: Along Freeway, on property of Petitioner  
Remarks:  
Posted by: [Signature] Date of return: 10/23/92  
Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/8, 1992  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/8, 1992.

THE JEFFERSONIAN,

S. Zetke  
Publisher

Case 93-106-XA  
Zone 115 Hillendale Rd.  
NW of Taylor Avenue  
9th Election District  
On Certificate  
Jean P. Fraunfelter  
Contract Purchaser:  
Rose D. Javier  
Hearing Monday  
November 9, 1992 at 10:00  
a.m. in Rm. 118, Old  
Courthouse  
Special Exception for a Class  
"B" Child Care Center for up to 20  
children. Variance to allow a .31  
acre for 20 children in lieu of the  
required 50 feet; to allow 5 feet side  
yard setbacks of 22 feet and 23 feet  
in lieu of the required 20 feet; to  
allow a 10 foot rear vegetative buffer  
in lieu of the required 20 feet; to  
determine that the proposed parking  
in the front yard and side yard drop  
off will have no adverse impact and  
to allow use in the buffer area in lieu  
of outside the buffer area; and  
to allow an impervious surface area of  
26% in lieu of the required 25%.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, Maryland 21204

93-106-XA

receipt

113  
Account R 01:6150  
Number

Date

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Account R 01:6150  
Number  
113

Date

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 10/21/92

Rose D. Javier  
1705 Glen Ridge Road  
Baltimore, Maryland 21204

RE:  
CASE NUMBER: 93-106-XA (Item 113)  
E/S Hillendale Road, 400' W of c/l Taylor Avenue  
7915 Hillendale Road  
9th Election District - 6th Councilmanic  
Legal Owner(s): Jean P. Fraunfelter  
Contract Purchaser(s): Rose D. Javier  
HEARING: MONDAY, NOVEMBER 9, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse

Dear Petitioner(s):

Please be advised that \$ 99.33 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Arnold Jarlow  
ARNOLD JARLOW  
DIRECTOR

Printed on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

OCT 01 1992

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-106-XA (Item 113)  
E/S Hillendale Road, 400' W of c/l Taylor Avenue  
7915 Hillendale Road  
9th Election District - 6th Councilmanic  
Legal Owner(s): Jean P. Fraunfelter  
Contract Purchaser(s): Rose D. Javier  
HEARING: MONDAY, NOVEMBER 9, 1992 at 10:00 a.m. in Rm. 118, Old Courthouse

Special Exception for a Class "B" Child Care Center for up to 20 children:  
Variance to allow a .31 acre for 20 children in lieu of the required 1 acre for 40 children; to allow side yard setbacks of 22 feet and 23 feet in lieu of the required 50 feet; to allow 5 feet side vegetative buffers in lieu of the required 20 feet; to allow a 10 foot rear vegetative buffer in lieu of the required 20 feet; to determine that the proposed parking in the front yard and side yard drop off will have no adverse impact and to allow use in the buffer area in lieu of outside the buffer area; and to allow an impervious surface area of 26% in lieu of the required 25%.

Laurence E. Schmidt  
Laurence E. Schmidt  
Zoning Commissioner of  
Baltimore County

cc: Rose D. Javier

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

October 26, 1992

(410) 887-3353

Mrs. Jean P. Fraunfelter  
7915 Hillendale Road  
Baltimore, MD 21234

RE: Item No. 113, Case No. 93-106-XA  
Petitioner: Jean P. Fraunfelter  
Petition for Variance & Special Exception

Dear Mrs. Fraunfelter:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 25th day of September, 1992.

Arnold Jarlow  
ARNOLD JARLOW  
DIRECTOR

Received By:

W. Carl Richman  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Jean P. Fraunfelter

Petitioner's Attorney:

Rec'd 10/14/92